1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

is not required to pay its portion of the fines imposed upon Beni Urriaghel unless it has actually been involved. 721

When Temsaman fights internally, Beni Tuzin, Beni Said, Gzennaya, Beni Ulishk, and Tafersit send their councillors to the great council of tribes; Beni Ulishk and Tafersit count as one in the division of the spoils. Beni Urriaghel does not send councillors to Temsaman, partly because the others will not allow it, and partly because the tribe is afraid of retaliation. 727

When the war is in Gzennaya, the Beni Urriaghel, Beni Tuzin, Beni Amart, Marnissa, Metalsa, and Jebarna (the latter, although part of the Gzennaya, do not count as such in time of war, since they are recent immigrants from the Branes) send councillors. When the fight is centered in the *fifth* of Imsdurar, Branes also sends her representatives. Temsaman sends a single councillor if the fight promises to assume large proportions.

When Beni Tuzin occupies the center of the stage, the councillors of Gzennaya, Metalsa, Beni Urriaghel, Temsaman, Beni Ulishk, Tafersit, and Beni Said go, and Beni Amart sends a few representatives.

When the war is in Beni Amart, Gzennaya, Marnissa, Beni Urriaghel, Beni Hadifa (acting as a separate body), and chosen members of Zarket, Bokoya, and Beni Tuzin participate.

When Bokoya is involved, the councillors of Beni Amart, Beni Urriaghel, Beni Itteft, Beni Bu Frah, and selected members from Gzennaya, Mestassa, and Mtiwa of the Rif attend the great council of tribes. The Sherif of Targuist also is sometimes present at the final settlement, taking ten men with him as bodyguard. He does not take part in any of the fighting, but tries to use his religious influence as a means of putting an end to the bloodshed. When the fine is collected, he is usually given twenty or thirty dollars. Sometimes, however, he is ignored. Shorfa of Targuist have in the past attempted to interfere in Beni Urriaghel and Gzennaya, but without success or remuneration, for which reason they have for some time ceased paying attention to wars within these tribes. [728]

When the fight is in Beni Itteft, Beni Bu Frah, Mestassa, or Mtiwa, the others of this group send their envoys, and those from Bokoya and Beni Gmil attend as well; when the fight is in Mtiwa, Beni Khennus and Beni Seddath also participate.

When the fight is in Beni Ulishk or Tafersit, Beni Tuzin, Metalsa, Temsaman, Beni Said, and Beni Mohammed and Khebaba of the Gzennaya take part.

When it is in Beni Said, Beni Tuzin, Temsaman, Beni Ulishk, Tafersit, Beni Bu Ifrur, Beni Sidel, and Gzennaya send representatives. Beni Said is the only tribe which has recognised the value of such mediation when actually in trouble, since it sends for the Gzennaya councillors to come and settle it for them. They have seldom resisted the intervention of the great council of tribes, preferring to pay the fine rather than continue a destructive internal quarrel.

Beni Bu Ifrur has not fought internally for a long time, since it is all one related group. Beni Sidel has been known to fall into such a difficulty, and Beni Said, Beni Bu Yahyi, Metalsa, and Beni Bu Ifrur, send councillors, while the sheikhs of Ait Shisher and Masuza also come. These sheikhs are given none of the proceeds. Beni Said wields the greatest influence in such gatherings.

When Beni Sidel and Beni Bu Ifrur fight together, the same alignment appears, and with the others go the sheikhs of Ulad Stut.

789 [519] I have even heard the belief that it is dangerous for a person to induce another to grant a request by casting 'ar[1] on him, since in such a case the curse is likely to affect the petitioner and not the individual appealed to (Ait Waryager).

627 728 [522] A refugee places himself in the 'ar of a woman by touching her or sucking her breast (Hiaina, Ait Nder, Aglu, Igliwa)—by which he becomes as it were her son—or by sitting down in front of her or going behind her or running into her house and taking hold of the handmill (Ait Waryager); her husband or family will then have to help him, and if the woman with whom he seeks refuge is the pursuer's own wife, the persecution must cease.

[532] Among the Rifians of the Ait Waryager, if a manslayer who is pursued by the relatives of his victim takes refuge in somebody's house and seizes hold of the handmill, he is in the 'ar of the mistress of the household, who is the owner of the handmill; then the pursuers must stop firing and the inhabitants of the house are obliged to protect him and to take him in safety back to his own house. On the other hand, a person who has to avenge the death of a relative may induce the owner of a house in which he takes refuge to assist him in taking revenge by offering him some money, which, if accepted, is looked upon as 'ar. If one of their villages has been beaten in a blood-feud with another village and desires to make peace, some of its men go at night to the enemy's village with a sheep or a goat, which they kill outside the yard of the mosque and then throw into the yard. When the dead [533] animal is found there in the morning by the people of the village, they understand from whom it has come and send the schoolmaster to the enemy, who now expresses a wish to put an end to the hostilities. Some men from a third village are called to act as peace-makers, and blood-money—some thirty or forty dollars—is paid for the manslaughter which was the cuase of the feud. It may be added that the animal which was sacrificed as 'ar is only eaten by scribes who are not natives of the village in which it was killed, no native partaking of its meat. So also the Rifians have recourse to 'ar to put a stop to a war between two different tribes. Some men of the vanquished tribe (daqbilt) go before sunrise to one of the enemy's market-places, taking with them a cow or a bullock, which they slaughter there as 'ar. They then retire to a desolate place in the neighbourhood and remain there till they are fetched by

1 [For definition of 'ar see previous page.- Analyst]

627 one of the enemy's men who was with them when the sacrifice was
628 made and therefore could explain its object to his tribesmen. Peace is concluded on condition that they pay a certain sum of money, perhaps one or two thousand dollars, to the victorious tribe; but neither in this nor in the case previously mentioned is the peace of long duration—in a few months or, at most, in a couple of years the hostilities commence afresh. The Rifians make peace when their food is scarce; when they have much corn they fight.

574 [537] The duty of hospitality is also closely connected with the belief in the 'ar and the compulsion it carries with it. A guest is in the 'ar of his host, in accordance with the principle, "He who is in your house is in your 'ar".

[538] Among the Braber of the Ait Yusi and Ait Sadden, if two or three unknown strangers arrive on horseback, an animal is killed for their entertainment; but the lonely wanderer is also treated as a guest (anbg i, plur. inbg aun), spending the night in the mosque if he has no acquaintance in the village. The same is the case among the Rifians of the Ait Waryager; some one of the villagers brings food to the stranger and eats with him in the mosque if the fqi is not there, as somebody must eat with the guest. If the stranger knows any person in the village he is taken to his house, unless he has gone there in the first place.

It is considered necessary that the host should do his best to please his guest. The latter is received with a friendly welcome, and in the case of distinguished guests the greetings may be most profuse. The host sets before his guest all the food which has been prepared, and he should do so at once. If, for example, four fowls have been killed, they should all be served up; for l-'ain t at akul, "the eye is eating" (Fez), that is, the guest is delighted to see much food before him even though he cannot eat it all.

842 765 [559] Among the Ait Waryager parents who have lost a child deposit its shirt at a shrine as 'ar in order that they shall be blessed with another child.

778 696 [561] Mosques may also be asylums for refugees, who are there in the 'ar of God and Sidna Jebril, the master of mosques. Among the Ait Waryager, I was told, a person who has fled to the mosque of a village is considered to be in the 'ar of the villagers and is therefore sheltered by them, whereas one who has fled to the shrine of a saint will be unscrupulously killed.

616 Ibuqquyen, the Aith Yittuft and the Bni Bu Frah on the one hand, while
619 the second unites with the Axt Turin and the Thimsaman on the other,
101 thus giving rise to a curious small and narrow passage across the territory of the Sanhajan (sic) tribe of the Aith Waryaghar, through which the Ghumaran tribes can communicate[45]. This might be borne out through other possible passages of the same type which, if found, would widen our political conceptualizations of this problem and might explain the apparent anomaly of ethnographic islets[46]. But in this, before it can be attempted, there must be an agreement on the basic affinities of the tribes in each band, Sanhajan or Ghumaran, and even among the Zanatans[47].

616 The liffs also seem to show, and manifestly, the reason for this progressive increase observed in the concentration of groups struggling in order to obtain the successive enlistment of possible far-away liff adherents.....so that their support would be required or attracted by the idea of burning of houses, etc., and their sudden disappearance, as if the earth might have swallowed them up, on the retreat of such far-flung allies....and thus creating the vacuum which one might label post-ta'rqiba[48] (author's italics), in order to astonish superficial observers, and coming to doubt the veracity of confidences and trusts, as well as of the enemy whom they had in front of them, and
616 of the sincerity of the peace testimony....And nevertheless, a sub-
728 mission must be accepted as effective for those who are about to make it, or for the next enemy group, seeing that it does not naturally endanger the lives of the warriors, who voluntarily defended the territorial integrity of their part of their liff. The ta'rqiba of this

616 group is not and cannot represent the surrender or submission of the
728 chain which, immediately unfurled if a single link is lost, maintains and preserves all those who remain within it in the desirable state of resistance[49].

616 619 114 with the Axt 'Akki of the Axt Tuzin and with the Truguth of the Thimsaman. Secondly, the Aith Waryaghar are not Sanhajan, and because tradition may have associated them with the liff of the Sanhajans long ago, this has nothing to do with their origins--which are Rifian. Thirdly, and worst of all, Blanco writes unwarranted nonsense through voicing the notion, entirely of his own making, of "communicating Ghumaran or Sanhajan passageways", in a cross-tribal sense.

000 46--By "ethnographic islets", Blanco probably refers to tribes such as Targist, Aith Mazduyi and Bni Gmil, which are neither properly Rifian nor properly Sanhajan.

[114] 47--As today the validity of the whole Masmuda-Ghumara-Sanhaja-Zanaga-Zanata classification of Berbers, on a linguistic, racial and cultural basis, has been thrown open to question and doubt, Blanco's postulation, at best, seems very far-fetched. (The objectives of one generation are notoften those of the next!)

616 ●728 184 782 48--Ta'rqiba: the sacrifice of an animal, after a war, by the side which is willing to surrender first. In many parts of Morocco, it involves cutting off the feet of the animal in question after slitting its throat and before it dies; but in the Rif, this particular modality is not practiced. There, any and all overtures to peace after a feud or war are not designated as ta'rqiba, but as ssulh, while the term referring to the act of sacrifice itself is dhaqqarsth.

000 [175] 49--Blanco's so-called "post-ta'rqiba" vacuum seems to me in reality to be the spatial norm in Rifian liff distribution; for prior to 'Abd al-Krim's time, and the creation, born of necessity, in 1921 of Eastern and Western (Spanish), and later, in 1925, of Southern (French) fronts, Rifian tribesmen always fought in their own home territory--with the possible exception, in one instance, of the Aith 'Ammarth contingents who helped the Aith Waryaghar against Bu Hmara's negro general on the banks of the Nkur River in 1908.

2. THE INTER-LINEAGE PACT[9] (AITH WARYAGHAR):

A) Qanun:

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[776]

Praise be to God...With the prolongation and extenuation of fi[illegible] discord between the sons of the celebrated saint Sidi 'Amar Bu Yawryan al-Yusifi al-Jilmami al-Ghalbzuri[10] of the subsegment (lit. farqa) of the Awlad Ukidar, and of that of the Awlad bin 'Abdallah, with the subsegment of al-'Aziz bin Muhammad, their allies, their partisans among the Awlad Tahir Asrih al-Hishami, their patrilateral cousin the Murabit Sayyid Muhammad bin al-Hajj 'Amar and their brother's sons supporting him, an intercession was initiated between both parties through which they desired to obtain the recompense of God by means of good acts, asking the two parties to incline toward reconciliation, which God qualifies by good work and promises to reward whomsoever puts it into practice; then they decided to initiate it for the space of one year from the present date until the same date of the following year.

In consequence, the first party, composed of the Faqih Muahammad Ashahbar Ukidar, his brothers by his father, his patrilateral cousins the Awlad bin 'Abdallah, such as his brother's son Hammu bin 'Abdallah, etc., appeared for judgment; after this, the second party, consisting of al-'Aziz bin Muhammad, his father's brother Akuh, the patrilateral cousin of both the aforementioned, the Siyyid Muhammad bin al-Hajj 'Amar, his brother's son and those of his party as well as those supporting the aforementioned second party of the subclan of Isrihan, the Awlad Tahir Asrich, such as Muhammad bin 'Aisa bin Tahir and all his patrilateral cousins, also appeared for judgment; they came to

671 628 613 728 [443] [686] agree to the abovementioned truce for one year starting from the present date. All of them appeared for judgment in front of the shiyukh of the Wednesday Market (Suq al-Arba') which exists in the vicinity of Sidi Abu al-'Afif; attendance at this act was completely general, as there also came notables such as the blessed, distinguished and excellent sharif Sidi Ahmad the son of the celebrated saint Sidi Misa'ud, from whose grace God has let us avail ourselves; al-Hajj Haddu bin Tahir al-'Abbasi; the shiyukh of Ajdir; the shiyukh of the Murabitin al-Jilmamiyin; and all in general, each of the parties arranging that in case either of them should break off the aforementioned truce in any way before the stipulated time of one year has elapsed, it shall pay a fine of 2000 duros (i.e. 20 x 100) to the shiyukh.

671 628 613 After responding with their goods and estates to the completed arrangement, it was put into effect in the presence of the aforementioned shiyukh in the latters' shop in the aforementioned market; and it was accepted in full and in good faith, with neither party having the right to retract in either the present or the future, each one of them making itself responsible for the fulfillment of what has been set down and for which only those mentioned here have the responsibility.

(The obligation to) payment (of the fine) and the agreement are both complete, as indicated. (The undersigned witnesses) have testified to the testimonial capacity of everyone concerned, that on this day, in the interior of the aforementioned shop, each person concerned, among those known by sight and name, is of sound mind and memory and thus [805] capable of testifying. On the first Wednesday of Rabi' al-Awwal of the Prophet, in the year 1335 (December 27, 1916).[11]

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

B) Commentary:

671 182 We have here a curious (sic) type of qanun, which, as we read it, reveals the decomposition which Rifian society had reached, the atomism to which its tribal anarchy led, the imperfection, or rather, the inefficacy, of its laws, the irregular coexistence, the demonstration of its independence.

628 613 728 The disputes between two lineages of the Aith Waryaghar threaten to exterminate them through the chain of blood-vengeance in the face of the indifferent attitude of their constituents, who are habituated to taking justice into their own hands in order to defend their own interests. Two rival groups of equal size attain, in their ferocious and persistent struggle, an equal number of losses, and they reach a stage of weariness, a moment of lassitude happily exploited in order to initiate a treaty of peace (author's italics), which will permit them to build up their resources; and this fact leads them to establish this agreement for one year. Those who will (686) see to it that the truce is kept are the shiyukh, to whose protection they submit and who are interested in the affair because of the inducement of the fine which the group must pay, if within this minimal space of time it contravenes what has been agreed upon in any way (author's italics).

671 613 628 728 554 This society lacks a strong executive power; it looked instinctively toward the web of lineages represented through its shiyukh or old chiefs (sic) (no one should believe that this title represented a step in any framework of governmental or judicial power) for a force which was neutral to its feuds and more powerful than itself, to which

671 613 628 728 554 by such a simple and voluntary act it was converted at the same time to an arbiter of incidents and an executor of decisions. The function is not gratuitous as in modern states, for if in the latter the contributor pays indirectly, he does so directly in the Rif. Their covetousness thus awakened, they evidently insured temporarily against feud renewal, but they also stipulated that it would revive the embers of their hatred.

671 613 628 182 [183] These agreements or inter-lineage truces obeyed a double mechanism originating from the vicious circle in which they were debated. On the one hand they originated a series of regulatory norms of coexistence which, gaining in amplitude of concept and extending their jurisdiction to the generalizing of their advantages and the persistence of their exemplarity, painfully came to gain the adhesion of other nearby and related lineages until they were adopted by larger social and territorial units, including districts or entire tribes; and this situation gave rise to some of those qanuns upon which we will comment further on. On the other hand, they represented the ultimate [728] [195] step to which anarchy led, responding to those most curious periods of their history in which one powerful group, having recourse to violence, broke the truce in defense of its own interests, the official recognition of this fact being given by the imgharen in the suq in the face of general consternation, with the tragic phrase War dha bu r-haqq.[12]

628 602 182 195 "Now there is no law"[13]: such was the official form of declaring the state of anarchy into which the Rifians so frequently fell, a phrase which obliged them to strengthen their kin group, without dismay and by all means in their power; for a man's kinsmen were his last refuge in case of social accident.

property in that belonging to him, in conformance with traditional law.[25]

Those who attended the present (act) brought their testimony to the above according to the requirements of the interested parties. --In the middle of Jumad al-Awwal of the year 1336 (February 27, 1918). --The 'adl, Muhammad bin Muhammad bin al-Hajj al-Warnuri.--Another, whose name is not known.--Another, Muhammad bin Sidi 'Abd al-Qadir al-Ghamri.

B) Commentary:

The social disintegration which Rifian society has reached is proven by these individual agreements between dharfiqin (Blanco: note 1, corresponding to text of qanun). In the face of helplessness or irregular functioning of higher-level associations, the poor tribesmen, before falling into complete anarchy, hastened to conclude an agreement with a neighboring group in order to attenuate that anarchy, succeeding in the hard struggle for life on a poor soil. These agreements thus formed true islets of irregular and variable peace, anchored in functional (sic) anarchy.

The necessity of agreements between lower-level lineages, who were abandoned by the rudimentary organization, obeyed, according to my understanding, those most curious periods which followed the public declaration of anarchy in the suq, when one powerful group managed by force to sustain the punishment, breaking the truce.

As the dispute was generalized between two preponderant rivals, the unaffected groups, before falling into anarchy, and with that notable instinct of self-defense, worked to bring about these agreements,

628 a guarantee of peace which, little by little, by virtue of their
613 acceptance by new and neighboring dharfiqin, came to be converted into
728 a general agreement between clans, thus increasing the radius of
614 peace; or they even inspired them to adhere once more to an interrupted truce.

"There is no law", the imgharen announced through the mouth of
628 the market crier, and the poor tribesmen, loading their faithful and
616 inseparable companions, their rifles, were pressured into forming the
[195] ranks of a liff, and into working out guarantees or neighboring alli-
[203] ances, such as that which we shall examine, which, for greater effi-
cacy, publicity and solemnity, they proclaimed in front of their notables in the suq (parliament--sic), rendering them necessary and valid for fulfillment (Blanco: note 2, in text).

These agreements had no other legal connotation than the very
671 short one of holding off the next spark of vengeance, being disrupted
628 or broken, due to the good will of trying to serve (Blanco: note 14)
728 for repression and as an example of punishment, their efficacy being that of lengthening the brief periods of peace.

This is a rational mechanism. Everybody understood that war
829 would exterminate him; everybody desired to be at peace. But in their
721 independent-minded democracy, they did not hit the mark with an organ
[182] of enforcement capable of imposing it, if anyone tried to disturb it.

Tired of tragic bloodfeuding, they drew up a truce and, logi-
671 cally, nominated the most powerful (man) to guarantee it and watch
628 over it.
728

671 628 613 728 Things went well, while the violators of the past were humble figures among the allied groups, incapacitated by their slight strength and the fact that they had few friends to abuse the pact by opposing themselves to other groups concerned; but when the equilibrium was upset or broken by the hatreds of the more distinguished lineage members, dragging their powerful lineages into the fray, the pact was wrecked and peace disappeared anew.

671 628 728 Observe in note 1 the guarantee of peace. In note 2, the formality of the agreement obtained. In note 3, the punishment. In note 4, the violation of the agreement. In note 5, the executive organ, the mass of the population. In note 6, the procedure. In note 7, the reason for the punishment, because it is a voluntary law. In notes 8 and 9, the fulfillment. In notes 10 and 11, the notables, the really significant personages, the Aitharbi'in. In notes 12 and and 13, with economic details, the democratic sensation of defective practice. In note 14, the Rifian illusion.

671 628 152 Notes 3 and 4 seem to show that Rifian custom is not designed to punish the loyal combatant, who, in an inflamed dispute, comes impulsively to make use of arms, incapable of dominating his instincts and always quick to defend his rights, but also to avoid treachery, cunning and hatred, or rather, vengeance, reprisal, from which the Rifians did not know how to free themselves, and which used up men and families. This is a notion which renders honors to manhood and stigmatizes the coward.

554 671 In notes 2, 10 and 11 it may be seen who the Rifians of significance are and that only these men, and not the ordinary tribesmen, are the executives and legislators. This proves what has been said

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22--All the lineages referred to in this paragraph live in the village of Tazurakhth, subclan of Aith 'Adhiya, clan of Aith Bu 'Ayyash, in Aith Waryaghar. In my own notes, however, we have no record of any lineage named Izubu'an in Tazurakhth, and this point we checked out with informants from the same village in 1954.

23--The holiest man in all the subclan areas of the Jbil of Aith Waryaghar, Sidi Ahmad (or, as he is called locally, Sidi Hmid) n Sidi r-Hajj Mis'aud, was of the Aith Kammun lineage of the subclan of the Lower Imrabdhen of the Aith Waryaghar clan of the Imrabdhen. It might be noted that he received one-fifth of any fine paid for a crime committed in the market or on the market road; the other four-fifths were divided up among the other constituents of the market, along tribal and segmentary lines (one for the Axt Tuzin, one for the Aith Bu Khrif of the Aith Bu 'Ayyash, one for the Aith 'Arus and one for the Aith Turirth). Sidi Ahmad also collected an annual ziyarth from the constituents of the Wednesday Market of Tawrirt, and every summer he made a trip through his bailiwick in order to bring about a cessation of bloodfeuds at harvest time.

24--From the lineage of Aith Wuzghar in Aith Bukhrif, of Aith Bu 'Ayyash Proper, Haddu n Muh Amzzyan became a qa'id quyad (qa'id of qa'ids) under 'Abd al-Krim and was the leader of the largest Rifian irregular force on the French Front in 1925-26. Under the Spaniards, he was qa'id of the Nkur qa'idate of Aith Waryaghar from 1926 to 1951, when he was removed from office by the Spanish authorities because of unnecessary harshness. He died on March 1, 1955. My own recollection of him is that he was the most remarkable informant I have ever encountered in Berber Morocco, a walking encyclopedia of Rifian custom.

25--This passage is difficult to translate and even perhaps unclear, but it is nonetheless a faithful rendering of the long-winded and verbose notarial prose in Arabic which any 'adl employs to terminate a document before signing his name.

26--What is meant here is that if the name of a sharif or holy man figures in any given qanun, the talib who is recording it tends to list him first of all, irrespective of whether or not he is the clan's most significant spokesman.

27--"Customary tribunal" is a term which the French applied to the courts of Berber law which they underwrote in the Atlas; and for this reason, it seems doubtful to me that such a notion can apply here, even though the idea that "custom was king" in the Rif was largely or even entirely valid during the "Republik".

28--Blanco makes no mention here of the haqq-houseburning relationship.

29--It seems fairly obvious that Blanco has inadvertently picked up this term for "vengeance" from the extensive literature on the Kabyles of Algeria; the Rifian term is r-'adhawth.

30--R-rhin, "mortgage", always applies to land or houses, i.e. to real property. If A needs money, he gives B some property of equivalent or greater value in return for lending the money to him. When A regains his money, he pays B back and takes back his property. In the Rif,